

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
SAN ANGELO DIVISION

RUBEN G. RENOVATO,	)	
	)	
Plaintiff,	)	
	)	
v.	)	
	)	
JO ANNE B. BARNHART,	)	
Commissioner of Social Security,	)	
	)	Civil Action No.
Defendant.	)	6:04-CV-022-C


**ORDER**

**THIS MATTER** comes before the court on the Report and Recommendation filed September 2, 2005 (Doc. 19). No written objections have been filed.

**IT IS, THEREFORE, ORDERED** that the findings and conclusions in the Report and Recommendation are **ADOPTED** as the findings and conclusions of the court and that this cause is reversed and remanded to the Commissioner for further proceedings pursuant to 405 U.S.C. § 405(g).

On remand, the ALJ shall evaluate and consider the evidence from Plaintiff's treatment providers indicating that he has a shoulder impairment which limits the use of his upper extremities, shall indicate whether any limitations are imposed by Plaintiff's shoulder impairment, and shall indicate the weight accorded to the opinions of Plaintiff's treating physician in accordance with 20 C.F.R. § 404.1527(d)(2) and *Newton*, 209 F.3d at 456.

Dated September 22, 2005.

  
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SAM R. CUMMINGS  
UNITED STATES DISTRICT COURT